

## REMARKS

This communication is in response to the Office Action mailed on June 14, 2006. In the Office Action, claims 1-30 were pending.

The Office Action first reports that claims 21-30 were rejected under 35 U.S.C. § 101 because the claimed invention was directed to non-statutory subject matter. With this Amendment, independent claim 21 has been amended to recite, "a computer readable medium having instructions which, when implemented on a computer, handle documents". Thus, claim 21 and claims 22-30 depending therefrom include instructions that are executable by a computer, which will provide a concrete tangible result by handling documents. As a result, claims 21-30 are believed to meet the statutory requirement of 35 U.S.C. § 101. Withdrawal of this rejection is thus requested.

Claims 1-2, 5-7, 11-12, 15-17, 21-22 and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buyukkokten et al. in view of Chu-Carroll et al. Of these claims, claims 1, 11 and 21 are independent. Applicant's respectfully submit that the independent claims are allowable over the cited combination.

Independent claim 1 recites a computer-implemented method that includes receiving a document and determining a file type for the document. The document is segmented into blocks of text as a function of the file type and at least one keyword and a summary for the document is generated.

Buyukkokten et al. describe summarizing text for web browsing on handheld devices. A web page is partitioned into semantic textual units based on font and structural information. A keyword and summary are identified for semantic textual units within the web page. However, the description of Buyukkokten et al. is limited to web page documents and does not teach or suggest finding a keyword and summary for other documents or segmenting a document based on a file type.

Chu-Carroll et al. describe providing post hoc access to legacy applications and data. A client can issue a query and a server can generate a resulting document that is transmitted to the client. The client can then parse the document using a parsing method depicted in FIG. 5.

The parsing method determines the file type for the document to determine if the structure of the document matches a document type definition. Then, the document is sent to the parser to parse the document. The parsing is performed independent of the file type. Furthermore, the parsing identifies tags in the document to determine objects and does not segment a document into blocks of text based on the file type. Although a determination is made as to a particular document type, there is simply no teaching or suggestion of segmenting a document into blocks of text as a function of the file type.

In contrast, the subject matter recited in claim 1 can be used to generate keywords and summaries for documents for a number of file types such as plain text, html and Microsoft Word. There are several different file types. By determining the file type, blocks of text can be segmented appropriately such that a keyword and summary can be generated for the blocks of text. There is simply no evidence to suggest that parsing in Chu-Carroll et al. is performed as a function of document type or that the combination of Buyukkokten et al. and Chu-Carroll et al. teach or suggest the features of claim 1.

The Office Action reports that a combination of Buyukkokten et al. and Chu-Carroll et al. would be obvious to produce a valid parsed result. This reasoning is simply not based on objective evidence in these references. Buyukkokten et al. make no mention that certain web pages may not be of a “valid” type or that there is a need or motivation for having a valid parsed result that would suggest a different parsing method can be used. Thus, it is believed that claim 1 is allowable over the prior art.

Similarly, independent claim 11 recites a computer-implemented method including retrieving a plurality of documents and determining a file type for each of the plurality of documents. Each of the plurality of documents is segmented into blocks of text as a function of the file type and at least one keyword in a summary for each of the plurality of documents is determined. An output of the at least one keyword in summary for each of the plurality of documents is provided.

Additionally, claim 21 recites a computer readable medium having instructions which, when implemented on a computer, handle documents. The instructions include a

document retrieval module adapted to retrieve a document from a document source based on a document query request received from a mobile device. A document outline parsing module is adapted to determine a file type of the document and segment document into blocks of text based on the file types and a summarization module is adapted to generate at least one keyword in a summary for the document. Independent claims 11 and 21 include subject matter similarly recited in independent claim 1. For reasons above, independent claims 11 and 21 are also believed to be allowable.

Claims 3-4, 8-9, 13-14, 18-19, 23-24 and 28-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buyukkokten et al., Chu-Carroll et al. and further in view of Chen et al. Applicant's note that subject matter described in Chen et al. is described in U.S. Patent Application 2005/0071364, which has been assigned to Microsoft Corporation, the assignee for the present application. The author's of Chen et al. assigned the rights to the subject matter disclosed therein to Microsoft Corporation, as evidenced by the recorded assignment with the United States Patent and Trademark Office at reel/frame 014593/0440. According to 35 U.S.C. § 103(c), subject matter assigned or under obligation to be assigned to the same assignee is precluded as prior art for 35 U.S.C. § 103(a) rejections. As a result, under 35 U.S.C. § 103(c), it is believed that the Chen et al. reference cannot be used in making a 35 U.S.C. § 103(a) obviousness rejection. Thus, rejections to claims 3-4, 8-9, 13-14, 18-19, 23-24 and 28-29 is respectfully requested.

Claims 10, 20 and 30 were further rejected under 35 U.S.C. § 103(a) as being unpatentable over Buyukkokten et al., in view of Chu-Carroll et al. and further in view of Emens et al. Applicant's submit that these claims when combined with their respective independent claims are further believed to be separately patentable over the prior art. Thus, withdrawal of this rejection is also rejected.

In view of the foregoing, Applicant's submit that the present application is in condition for allowance. Reconsideration and allowance of the claims is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Todd R. Fronek, Reg. No. 48,516  
900 Second Avenue South, Suite 1400  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

TRF:rdg